

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON SENATE BILL 680 SD1
A BILL RELATING TO HOMELAND SECURITY

PRESENTATION TO
THE HOUSE COMMITTEE ON PUBLIC SAFETY
AND
THE HOUSE COMMITTEE ON VETERANS, MILITARY,
& INTERNATIONAL AFFAIRS, & CULTURE AND THE ARTS

BY

MAJOR GENERAL DARRYLL D. M. WONG
ADJUTANT GENERAL
March 14, 2013

Chair Aquino, Chair Takai, Vice Chairs Ing and Ito, and Members of the Public Safety and the Veterans, Military, & International Affairs, & Culture and the Arts Committee:

I am Major General Darryll D. M. Wong, State Adjutant General. I am testifying in **SUPPORT** of Senate Bill 680 SD1.

SB 680 SD1 will strengthen Homeland Security in Hawaii by codifying functions we are already performing and consolidating them in one office that reports to the Homeland Security Advisor to the Governor (one of the important hats I wear as the Adjutant General).

SB 680 SD1 establishes the Office of Homeland Security in the State Department of Defense. The state Office of Homeland Security will take over and strengthen a number of programs that State Civil Defense has been running since 2001, including grant management, critical infrastructure protection and processing security clearances for local and state government. The Hawaii State Fusion Center will now come under the Office of Homeland Security.

SB 680 SD1 provides a legislative basis for performing tasks and missions that we are already doing. This bill will allow us to organize more efficiently and move personnel from State Civil Defense into this new structure to provide better support to the people of Hawaii. Establishing the Office of Homeland Security requires no additional funding – personnel and office space already exist within SCD and DOD.

Thank you for the opportunity to provide this testimony.



STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

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HONOLULU, HAWAII 96813
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March 13, 2013

The Honorable Henry Aquino, Chair
Committee on Public Safety
House of Representatives
State Capitol, Room 419
Honolulu, Hawaii 96813

The Honorable K. Mark Takai, Chair
Committee on Veterans, Military Affairs, and Culture and the Arts
House of Representatives
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chairs Aquino and Takai

Subject: S.B. 680, S.D. 1 Relating to Homeland Security

I am Robert Westerman, Vice Chair of the State Fire Council (SFC) and Fire Chief of the Kauai Fire Department (KFD). The SFC and the KFD support S.B. 680, S.D. 1, which seeks to establish a homeland security office to provide a comprehensive program to protect our citizens, infrastructure, and government from terrorism and threat of attack.

S.B. 680, S.D. 1 will establish the Office of Homeland Security within the State Department of Defense and will provide uniform planning among the various state and county agencies. It will codify functions the state is already performing and consolidate them in one office. It will also allow the state to organize more efficiently to support the citizens and the counties in their efforts to prepare and train for tasks and missions related to terrorist events.

The Honorable Henry Aquino, Chair
Committee on Public Safety
The Honorable K. Mark Takai, Chair
Committee on Veterans, Military Affairs, and Culture and the Arts
Page 2
March 13, 2013

The SFC and the KFD urge your committee's support on the passage of S.B. 680, S.D. 1.

Should you have any questions, please contact SFC Administrator Socrates Bratakos at 723-7151 or sbratakos@honolulu.gov.

Sincerely,

for *Socrates Bratakos*

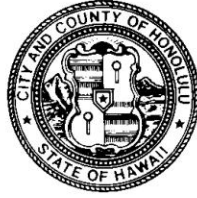
ROBERT WESTERMAN
Vice Chair

RW/LR:clc

**DEPARTMENT OF EMERGENCY MANAGEMENT
CITY AND COUNTY OF HONOLULU**

650 South King Street Honolulu, Hawaii 96813 / (808) 723-8960

**KIRK CALDWELL
MAYOR**



**MELVIN N. KAKU
DIRECTOR**

**PETER J.S. HIRAI
DEPUTY DIRECTOR**

March 13, 2013

The Honorable Henry J.C. Aquino, Chair
and Members
Committee on Public Safety
The Honorable K. Mark Takai, Chair
and Members
Committee on Veterans, Military, and International
Affairs, and Culture and the Arts
State House of Representatives
Hawaii State Capitol; Room 309
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Aquino and Takai and Members:

Subject: Senate Bill No. 680, S.D. 1, Relating to Homeland Security

The Department of Emergency Management, City and County of Honolulu, strongly supports S.B. 680.

S.B. 680 provides a legislative basis for performing missions and tasks that we are already performing when members of our community are faced with a natural or man-made hazard incident. This bill allows the State to organize more efficiently to support our counties, communities, and citizens through the establishment of the Office of Homeland Security in the State Department of Defense. Through consolidating office functions that the state is already performing and codifying roles and responsibilities, the Office of Homeland Security will further strengthen the State's Homeland Security program.

I urge your committee to support and pass S.B. 680 S.D. 1.

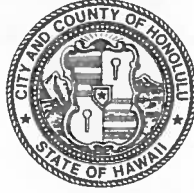
Sincerely,

Melvin N. Kaku
Director

CC: Mayor's Office
MD Ember Shinn Designate

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org



KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE **GK-JK**

March 14, 2013

The Honorable Henry J.C. Aquino, Chair
and Members
Committee on Public Safety
The Honorable K. Mark Takai, Chair
and Members
Committee on Veterans, Military, and International
Affairs, and Culture and the Arts
State House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Aquino and Takai and Members:

Subject: Senate Bill No. 680, S.D. 1, Relating to Homeland Security

I am Gerald Kaneshiro, Captain of the Major Events Division, Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department supports Senate Bill No. 680, S.D. 1, Relating to Homeland Security. Establishing a state homeland security office and authorizing the counties to create organizations for homeland security will provide unified planning among the various state and county agencies and a more efficient and comprehensive approach toward threats in our isles.

Consolidating the homeland security functions that the State is currently performing and codifying the roles and responsibilities will also facilitate interagency operations.

Thank you for the opportunity to testify. I urge your committee to support and pass Senate Bill No. 680, S.D. 1.

Sincerely,

A handwritten signature in cursive script, appearing to read "G. Kaneshiro", is written over the printed name.

GERALD KANESHIRO, Captain
Major Events Division

APPROVED BY:

A handwritten signature in cursive script, appearing to read "Louis M. Kealoa", is written over the printed name.

LOUIS M. KEALOHA
Chief of Police

William P. Kenoi
Mayor

Walter K.M. Lau
Managing Director



Darryl J. Oliveira
Director of Civil Defense

County of Hawaii

CIVIL DEFENSE AGENCY

920 Ululani Street • Hilo, Hawai'i 96720-3958
(808) 935-0031 • Fax (808) 935-6460

March 13, 2013

Representative Mark Takai, Chair
House Committee on Veterans, Military, International Affairs,
& Culture and the Arts
State of Hawaii

Dear Representative Takai,

I would like to submit this letter of testimony in favor of Senate Bill 680 SD 1 and request your consideration and support with the passage of this measure. As proposed, Senate Bill 680 SD 1 provides for the following:

- Current and contemporary statute language that establishes the legislative basis for performing tasks and missions that the emergency management community at the State and County levels is presently performing. The proposed language would align our state's statutes with nationally recognized emergency management principles and organizational structure.
- Authorizes (but does not require) the counties to establish local offices of homeland security.
- Allows the state to organize more efficiently to support the citizens and the counties.
- Establishes the Office of Homeland Security in the State Department of Defense.
- Strengthens Homeland Security in Hawaii by codifying functions the state is already performing and consolidating them in one office.

I would like to thank for this opportunity to provide you with this written testimony and strongly encourage and request your support and passage of this measure as written.

Sincerely,

Darryl Oliveira, Acting Administrator
County of Hawaii Civil Defense Agency



William P. Kenoi
Mayor



Darren J. Rosario
Fire Chief

Renwick J. Victorino
Deputy Fire Chief

County of Hawai'i
HAWAI'I FIRE DEPARTMENT
25 Aupuni Street • Suite 2501 • Hilo, Hawai'i 96720
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March 13, 2013

The Honorable Henry Aquino, Chair
Committee on Public Safety
House of Representatives
State Capitol, Room 419
Honolulu, Hawai'i 96813

The Honorable K. Mark Takai, Chair
Committee on Veterans, Military Affairs, and Culture and the Arts
House of Representatives
State Capitol, Room 426
Honolulu, Hawai'i 96813

Dear Chairs Aquino and Takai

Subject: S.B. 680, S.D. 1 Relating to Homeland Security

I am Darren J Rosario, member of the State Fire Council (SFC) and Fire Chief of the Hawai'i Fire Department (HFD). The SFC and the HFD support S.B. 680, S.D. 1, which seeks to establish a homeland security office to provide a comprehensive program to protect our citizens, infrastructure, and government from terrorism and threat of attack.

S.B. 680, S.D. 1 will establish the Office of Homeland Security within the State Department of Defense and will provide uniform planning among the various state and county agencies. It will codify functions the state is already performing and consolidate them in one office. It will also allow the state to organize more efficiently to support the citizens and the counties in their efforts to prepare and train for tasks and missions related to terrorist events.

The SFC and the HFD urge your committee's support on the passage of S.B. 680, S.D. 1.

Should you have any questions, please contact SFC Administrator Socrates Bratakos at 723-7151 or sbratakos@honolulu.gov.

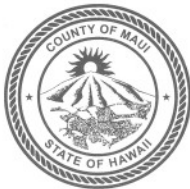
Sincerely,

A handwritten signature in black ink that reads "Darren J. Rosario".

DARREN J. ROSARIO
Fire Chief



ALAN M. ARAKAWA
MAYOR



JEFFREY A. MURRAY
CHIEF

ROBERT M. SHIMADA
DEPUTY CHIEF

COUNTY OF MAUI
DEPARTMENT OF FIRE AND PUBLIC SAFETY

200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
(808) 270-7561
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EMAIL: fire.dept@mauicounty.gov

March 13, 2013

The Honorable Henry Aquino, Chair
Committee on Public Safety
House of Representatives
State Capitol, Room 419
Honolulu, Hawaii 96813

The Honorable K. Mark Takai, Chair
Committee on Veterans, Military Affairs, and Culture and the Arts
House of Representatives
State Capitol, Room 426
Honolulu, Hawaii 96813

Dear Chairs Aquino and Takai

Subject: S.B. 680, S.D. 1 Relating to Homeland Security

I am Jeffrey A. Murray, Fire Chief of the County of Maui, Department of Fire & Public Safety (MFD) and a member of the State Fire Council (SFC). The MFD and the SFC support S.B. 680, S.D. 1, which seeks to establish a homeland security office to provide a comprehensive program to protect our citizens, infrastructure, and government from terrorism and threat of attack.

S.B. 680, S.D. 1 will establish the Office of Homeland Security within the State Department of Defense and will provide uniform planning among the various state and county agencies. It will codify functions the state is already performing and consolidate them in one office. It will also allow the state to organize more efficiently to support the citizens and the counties in their efforts to prepare and train for tasks and missions related to terrorist events.

The Honorable Henry Aquino, Chair
Committee on Public Safety
The Honorable K. Mark Takai, Chair
Committee on Veterans, Military Affairs, and Culture and the Arts
Page 2
March 13, 2013

The MFD and the SFC urge your committee's support on the passage of S.B. 680, S.D. 1.

Should you have any questions, please contact SFC Administrator Socrates Bratakos at 723-7151 or sbratakos@honolulu.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey A. Murray".

JEFFREY A. MURRAY
Fire Chief

**Testimony on Senate Bill 680 SD1
A Bill Relating to Homeland Security**

HOUSE COMMITTEE ON PUBLIC SAFETY

**HOUSE COMMITTEE ON VETERANS, MILITARY, & INTERNATIONAL
AFFAIRS, & CULTURE AND THE ARTS**

**TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2013**

March 14, 2013

CHAIR AQUINO, CHAIR TAKAI, AND COMMITTEE MEMBERS:

I am Edward T. Teixeira, former vice director of civil defense, State of Hawaii, and I am providing written testimony strongly opposing Senate Bill 680 SD1.

I take issue with the misleading language in Section 1 of the proposed bill which speaks to Hawaii state departments that “combat terrorism”. The use of these words, written to garner your blind support, should be questioned vigorously in your committee hearing. No departments in state government actively “combat terrorism”. That responsibility belongs to the U. S. Department of Justice, FBI, and the military when authorized under law.

In Section 2 of the proposed bill, your committees should question the narrow definition of “Homeland Security”. Terrorism is one of many man-made hazards that State, county governments, and private industry have prepared for since 1997 and should not be separated from preparedness and mitigation programs for other hazards, natural and man-made.

Your committees should also question the wisdom of creating homeland security offices at the county government level and at the State DOD. The creation of homeland security offices in the four counties is unnecessary given the small size of the State and, if created, these offices would compete for limited county general funds (and available federal grant funds) that support the thin structure of county civil defense agencies.

Establishing a State homeland security office in the DOD is a bad idea and more than likely based on the unfounded perception held by the serving adjutant general that the State was not applying for available federal homeland security grants. However, the language of the proposed bill does more than give this new office the authority to seek federal grants but also the authority to meddle in the funding affairs of other agencies and departments.

As written the bill will authorize the new homeland security office to have operational responsibilities to coordinate, respond to, and recover from terrorist attacks. This will invite disaster. Your committees should question how these responsibilities and functions will be carried out at the DOD without duplicating the purpose and functions of the State Civil Defense Division and State Emergency Operating Center when activated to support an

emergency as it would do in a terrorist attack. The responsibility for State homeland security should be returned to and remain in the State Civil Defense Division.

Establishing a new homeland security office in the State DOD will cost money. Where will these funds come from? Given the current Sequester and anticipated federal budget cuts, the State DOD (and Governor) should be prioritizing existing emergency preparedness programs that will be affected by reduced funding as opposed to establishing a new office of homeland security that will absorb reduced federal funding assistance, State general funds, or a combination of both.

Your committees should be aware that Federal grant funds for state Homeland Security programs have been on the decline for the last three years. This decline is expected to continue. That said available federal grant funds for homeland security and emergency preparedness (precious taxpayer dollars) should be invested prudently and spent on those eligible and unfunded requirements found in State and county government response agencies, NOT on a new homeland security office in DOD.

Finally, the role of the adjutant general should be limited to the administration of the Hawaii National Guard, a huge responsibility. Hawaii Revised Statutes, Chapter 26, makes the adjutant general the director of civil defense, (an antiquated Cold War era function), a responsibility that an incumbent can only perform on a part-time basis. The proposed bill will amend Section 26-21 giving the adjutant general the title of director of homeland security, a superfluous title with attendant responsibilities that will be performed, at best, on a part-time basis.

Your committees, therefore, should question why a director of homeland security is needed since the proposed bill will authorize the director to appoint an "administrator of homeland security".

Since December 2001, majority of state homeland security programs were administered successfully under Homeland Security Advisors, a designation made by state governors to satisfy federal directives and programs in the immediate post-9/11 era. The adjutant general is designated the Homeland Security Advisor to the Governor of Hawaii. This non-statutory designation may be transferred by the Governor to another State official charged with the responsibilities for law enforcement and public safety such as the attorney general or director of public safety. Your committees should consider the value of retaining this flexible arrangement, a value the proposed bill will eliminate.

I urge you and your committee members to vote NO to SB 680 SD1.

Thank you for the opportunity to provide written testimony that strongly opposes this bill.

March 12, 2013

The Honorable Sen. Will Espero, chair
and members,
Committee on Public Safety, Intergovernmental and Military Affairs
State Senate
Hawai`i State Capitol
415 South Beretania Street
Honolulu Hawaii 96813

Dear Chair Espero and Members,
Subject: S.B. 680

As you know, SB680 consolidates Hawai`i's homeland security functions within a state homeland security office, authorizes county homeland security organizations, and provides more clarity in planning and other functions related to protecting our state from threats, both natural and man-made. This bill will help streamline our response to crises, and that's a good thing.

I am a member of the state Civil Defense Advisory Council, an elected board member of the Kaua`i Island Utility Cooperative, a small business owner and a resident of these islands for approaching 60 years. I encourage your favorable consideration of this measure.

Jan TenBruggencate
jan@islandstrategy.com
2878 Pua Nani Street
Lihue HI 96766

Testimony on Senate Bill 680 SD1, A Bill Relating to Homeland Security

HOUSE COMMITTEE ON PUBLIC SAFETY

**HOUSE COMMITTEE ON VETERANS, MILITARY, & INTERNATIONAL
AFFAIRS, & CULTURE AND THE ARTS**

**TWENTY-SEVENTH LEGISLATURE
REGULAR SESSION OF 2013**

March 14, 2013

CHAIR AQUINO, CHAIR TAKAI, MEMBERS OF THE RESPECTIVE COMMITTEES:

My name is Creighton W. Goldsmith and I am providing written testimony opposing SB 680 SD1.

As a recently retired chief officer of U.S. Customs and Border Protection, U. S. Department of Homeland Security, and a former member of the state civil defense advisory council, I believe that establishing a state homeland security office in the state Department of Defense and in each of the four counties is unnecessary and wasteful. This initiative will require funding from local and state general funds and from available federal homeland security grants funds that are needed by Hawaii's first responder agencies. Homeland security is a federal responsibility and as such, state and county agencies only confuse the situation, not ameliorate it.

More importantly, if the proposed bill is passed this initiative will create a bifurcation in the state Department of Defense for the coordination and response to potential terrorist attacks. The consequence of which, will result in confusion among response agencies from all levels of government including the private sector and the general public. Simply stated, a new office of homeland security will not have the communications infrastructure and staffing to coordinate and manage a response to a terrorist attack.

The responsibility and functions for responding to homeland security events should be left to the State Civil Defense agency, an organization that has a history of successfully coordinating and managing State anti-terrorism programs, homeland security programs, critical infrastructure protection programs, and past disasters. It is my understanding that there is another bill pending that would change the name of State Civil Defense to the Department of Emergency Management.

SB 680 SD1 should not be passed out of your committees.

Thank you for the opportunity to provide written testimony that opposes this bill. These comments are my own and do not represent the opinions of Customs and Border Protection or the Department of Homeland Security.

Creighton W. Goldsmith
1600 Sherman Park Place
Honolulu, HI 96817
email: cwgoldsmith@usa.net

March 13, 2013

The Honorable Rep. Henry J.C. Aquino, Rep. Mark Takai, Rep. Kaneiela Ing, Rep. Ken Ito
And the House Committee on Public Safety
And the House Committee on Veterans, Military, & International Affairs & Culture and the Arts
State Capitol, Room 309
Honolulu, Hawaii 96813

RE: SB680, SD1 Relating to Homeland Security

Aloha Chair Aquino, Chair Takai, Vice-Chair Ing, Vice-Chair Ito and Members of the Committees:

I am writing In Support of SB680.

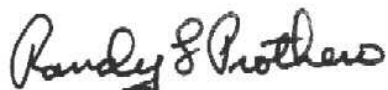
I am a member of the State Civil Defense Advisory Committee, but testifying as an individual.

I believe this bill is needed to assist the state in restructuring State Civil Defense. Currently that department is wearing many hats and while doing a wonderful job, needs to be more specialized and focused. Issues of homeland security are quite different than those of natural disasters, with different requirements and needs. Processing of security clearances is among the differing tasks that should be separated from the current State Civil Defense agency. I believe that a restructuring is needed. This bill would also allow the counties to do a similar restructuring if they chose.

With Hawaii being a tourist destination for people from all over the world and having such a large military presence, we can be a target for terrorist activities and as such need to maintain a high level of preparedness. I believe this bill will assist the state better carrying out that task.

Thank you in advance for your support of this bill. Please feel free to contact me if you have any questions.

Sincerely,



Randy Prothero
(808) 384-5645 cell
Homes@HawaiiRandy.com